



MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
And Third Tuesday of each month

REGULAR MEETING

County Courthouse
Bridgeport, California 93517

October 17, 2006

9:00 a.m. **Call meeting to Order led by Vice-Chairman Hazard**

Pledge of Allegiance led by Clerk Robles

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD on items of interest of the public that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

No one spoke.

DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

The following department heads addressed the Board. *Details provided in the Meeting Notes of 10/17/2006:*

- Marshall Rudolph
- Evan Nikirk
- Scott Burns

BOARD MEMBER REPORTS

Hap Hazard- Attended the Management Meeting- went very well and the tone is positive. We had the Tri-Valley EMS working group and approaching to formulate the language to come back to the Board. 10/12 met with Congressman McKeon at the Rotary luncheon. A lot of what was heard was prepared and not that informative. We did meet at 2:00 p.m. I brought forward an issue in Benton (energy policy and concerns). I was told that his staff would go to Washington for follow-up review. We went to the energy meeting and walked away scratching their heads. This has been a promise for 30 years and it's just never manifested itself. My concerns only escalated. 10/13 met with Buck McKeon on the Hoover issue in Bishop. The language is still in-tact and is not in question. The problematic language was the problem and they didn't have a mechanism to ensure that the snowmobiles would have protection under the law. We affirmed that we had consensus and ready to support McKeon. We attended the COG meeting. I attended the Sierra Nevada Conservancy meeting as well. Concerns were discussed. Office hours in Chalfant and met with a rep regarding the park out there. We're making progress on the grant. Since our last report, I met with Mammoth folks (soccer influence) who would like to eventually start a tournament as a fundraiser. There's a preliminary discussion that our Mammoth teams could stay in-county with a Chalfant field. Wednesday night is a park meeting to let me know who can help do what. Attended LTC yesterday and left for my Crowley Lake office.

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I met with Kelly Garcia. We tried to do a test run on the poll. She was going to get the new equipment and get it installed quickly. We have a broken phone there as well. (*Clerk to order a new phone*). I went home sick. Went to Swall Meadows where Dave effectively presented the budget. I was handed another letter for the planning review commission (terms expiring at the end of November) to pass to Dave. Received a call from Eastern Sierra Landtrust indicating that the Old Benton area received a funding to place 900 acres of wetland into a conservancy to protect the meadow land and to expand resources. Received a letter from Antelope Valley RPAC as a formal notice that they met and voted to request not to be included in our Ordinance. *I will pass it on to Dave*. Main concern is the lighting around barn structures for predators. They are less concerned about light pollution. Received a phone call and email complaint that we're still not getting our agendas on the website prior to the meetings. Clerk: Not true. All agendas are posted prior to each meeting.

Vikki Bauer- Thank you for your support (thank you, Bob, too). Everybody played a huge role. The County staff presentations were instrumental in understanding the issues. My email is quiet now for the first time in months. Met with Senator Cox and impressed with Dave's level of discussions. I sat with him when he spoke with George Booth. Yosemite Planning came over to the Ski Museum. It got a little heated. The socio-economic workshop went well. The room was packed with good ideas. I said hello to Buck McKeon. On Friday I went to a football game and went to Monterey. The LTC meeting was long and happy to move forward with the Joint Powers Agreement.

Byng Hunt- 10/4 and 10/5 the Sierra Nevada Conservancy met in Bishop. Most of the Board showed up. I attended on 10/5 and was able to hear about how our region could benefit from funding. I was looking forward to being a player in January/2007. Discussions about setting up sub-regional offices (two offices outside north and south). We had representatives from BLM and Forest Service offering free office space. Sierra Nevada license plate is offered now and allows organizations to sell license plates to raise money. Central California Research Conservancy and Development always meet over on the west-side (in Jackson or Sonora). Scott says we don't have enough input to benefit attending the meetings. We may want to agendize a presentation from this group. There are funding mechanisms and ways to get things off the ground. Annual meeting coming up 11/16 for the council. Went to the Management Meeting and fully agree with Dave's assessment. There's a remarkable amount of civility and issues. Our policy and procedures manual review process is coming to an end. Garret: Possibly by Spring. Attended a First Five meeting on 10/11- presentations on our fiscal audit, CARES, etc. Kathy Peterson did a great job! Went to a retirement party for Rich McAteer and provided a quilt as a present. I attended the socio-economic workshop which was productive. We would like more of a say in the park. They sincerely want to reach out and help. We got some great statistics from them and willing to share them with the Board. Went to the geo-thermal interview. I don't know what is going to come of it. Met with Congressman McKeon twice on Thursday (he attended our Rotary lunch). He discussed some things and met again at 2:00 p.m. in Dave's office. We discussed affordable housing, child care, airport issues, etc. Friday, attended a meeting with Hap. After the Election, he will get a much better ear from the Senators. McKeon indicated that our snowmobile language was not being accepted. This may reverse some of those things we worked on. He's optimistic that he'll push this thing through. ESCOG met on Friday 10/18. None of the members could really stay after. Update on the Mt. Whitney Fish Hatchery.

Vikki Bauer: Inyo County is now worried about fish? Hunt: Sierra Nevada Conservancy- people that are worried that the group will only worry about environmental issues and not the local economy. Next meeting 12/15. Mono County LTC meeting. We went into our meeting with a lot of presentations. This Ca Regional Blue Print is creating a vision for our area. It's a 20 year planning grant. Attended the candidates debate in Lee Vining which was very informative and eye-opening. Vote on November 7th.

Tom Farnetti- Absent.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report and Tracking Report re Board Assignments (**David Wilbrecht**)
ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities. Review and potentially revise Tracking Report of Board assignments.

Dave Wilbrecht addressed the Board- *Details provided in the Meeting Notes of 10/17/2006:*

CLOSED SESSIONS

Entered Closed Session @ 9:15 a.m. thru 10:17 a.m.

Recess from 10:18 a.m. thru 10:23 a.m.

- 2) CONFERENCE WITH LABOR NEGOTIATORS (MCPE). Government Code §54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, and Robert Garret. Employee organizations: Local 39 (MCPE, DPOU), Paramedic Fire and Rescue Association, Sheriff's Officers' Association (DSA), Sheriff Department Management Association, Public Safety Officers Association, Management Council. Unrepresented employees: County Administrator, County Counsel, Deputy County Counsel, Clerk-Recorder, Finance Director, Mental Health Director, Social Services Director, Public Health Director, Health and Human Services Director, Deputy county Administrative Officer/Human Resources Director; Deputy County Administrative Officer/Risk Manager; Health Officer, Psychiatrist, Assistant Public Works Director, Project Manager, Assistant District Attorney, District Attorney Chief Investigator, Assistant Treasurer-Tax Collector, Assistant Auditor-Controller, IT Director, Building Official, Budget & Organization Analyst, Assistant Clerk-Recorder, Probation Officer, and Child Support Director, Undersheriff, Paramedic/Fire Chief, Assistant Assessor.

- 3) PUBLIC EMPLOYEE PERFORMANCE EVALUATION (**Marshall Rudolph**)
Government Code section 54957. Title: County Counsel.

Returned to Closed Session at 11:24 a.m. thru 12:26 p.m.

Recess taken from 12:27 p.m. thru 12:30 p.m.

- 4) PUBLIC EMPLOYEE PERFORMANCE EVALUATION. (**Dave Wilbrecht**)
Government Code section 54957. Title: County Administrator.

- 5) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (**Marshall Rudolph, Dave Wilbrecht**)
Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: one.

- 6) **APPROVAL OF MINUTES:**

M06-178 *Regular Meeting of September 12, 2006 (already approved; awaiting signature)*

Regular Meeting of October 03, 2006
(Hunt/Bauer 3-0; Absent Farnetti)

PUBLIC WORKS

- 7) Bid Opening – Storage Building Construction for a PHHWF at BX LF (**Evan Nikirk**)
M06-179 **ACTION:** 1. Open, read aloud, and record sealed bids submitted in response to Public Works' Invitation to Bid for storage building construction for a Permanent Household Hazardous Waste Facility (PHHWF) at the Benton Crossing Landfill. 2. Refer bids to the Public Works Director for review and recommendation. Provide any other desired direction to staff.
(Hunt/Bauer 3-0; Farnetti Absent)

BOARD OF SUPERVISORS

- 8a) Approve letter drafter by staff on behalf of the Board of Supervisors to Superior Court Judge Eller regarding the 2005-2006 Grand Jury Report (**Dave Wilbrecht**)
M06-180 **ACTION:** Approve the Chair's signature on a letter drafted by staff on behalf of the Board of Supervisor to Presiding Judge Eller regarding the 2005-2006 Grand Jury Report.
(Bauer/Hunt 3-0; Farnetti Absent)
- 8b) Formation of the Eastern Sierra Transit Authority, a new Joint Powers Authority.
(Dave Wilbrecht)
M06-181 **ACTION:** (A) Request Board approve the Joint Powers Agreement between County of Inyo, Mono County, City of Bishop and Town of Mammoth Lakes for the formation of the Eastern Sierra Transit Authority and authorize the Chairperson to sign on behalf of Mono County. (B) Appoint the Eastern Sierra Council of Government representatives from Mono County to also serve as members of the Board of Directors. Current ESCOG representatives are Supervisors Hunt and Hazard.
(Bauer/Hunt 3-0; Farnetti Absent)

SHERIFF-CORONER

- 9) California Multi-Jurisdictional Methamphetamine Enforcement Team (CalMMET) Expanded Grant Program for FY 2006-2007 (**Daniel A. Paranick**)
R06-98 **ACTION:** Adopt **Resolution (R06-98)** approving and authorizing Undersheriff Greg Busey or current Project Director (Admin. Lieutenant) to apply for and administer the CalMMET expanded grant program for FY 2006-2007.
(Bauer/Hunt 3-0; Farnetti Absent)

CHILD SUPPORT

- 10)** Approve and authorize the Mono County Department of Child Support to distribute excess funds currently held in the Mono County Department of Child Support trust accounts to the State of California Department of Child Support Services and the County of Mono. **(Julie M. Tiede)**
- M06-182** **ACTION:** 1. Approve and authorize the Mono County Department of Child Support to distribute excess funds currently held in the Mono County Department of Child Support trust accounts in accordance with the recommendations of the Independent Audit Firm of Bartig, Basler & Ray, the reconciliation of accounts performed by the Mono County Department of Child Support, and the approval of the California State Department of Child Support Services. The excess funds that are currently held in the Mono County Department of Child Support Trust Accounts are to be distributed under the distribution ratio for Aid Code 30 being .975% to be forwarded to the State of California Department of Child Support Services, and .025% to be distributed to the County of Mono. Such distribution will result in \$100,450.18 being to the State of California, Department of Child Support Services and \$2,575.64 distributed to Mono County.
- (Hunt/Bauer 3-0; Farnetti Absent)**

COUNTY ADMINISTRATIVE OFFICE/HUMAN RESOURCES

- 11a)** Resolution – Adopting Updated Position Allocation List **(Robert Garret)**
- R06-99** **ACTION:** Adopt **Resolution (R06-99)** Amending the County of Mono List of Allocated Positions to Reflect the Changes Which Have Been Approved By The Board of Supervisors Since July 31, 2006 and provide for hiring in previously approved and budgeted positions.
- (Hunt/Bauer 3-0; Farnetti Absent)**
- 11b)** Resolution Approving Employment Contract with Tom Wallace **(Robert Garret)**
- No action** **NO ACTION:** Adopt ~~Resolution (R06-____)~~ approving an employment agreement with Tom Wallace and prescribing the compensation, appointment, and conditions of said employment.
- Bob Garret addressed the Board. I would like to request that this be continued to 11/7. I've had a chance to meet with Tom but I did not want to hurry the language in an hour.
- 11c)** Resolution Approving Employment Contract with Brian Muir **(Robert Garret)**
- R06-100** **ACTION:** Adopt **Resolution (R06-100)** approving an employment agreement with Brian Muir and prescribing the compensation, appointment, and conditions of said employment.
- (Hunt/Bauer 3-0; Farnetti Absent)**

- 11d)** Resolution Approving Employment Contract with Ed Zylman (**Robert Garret**)
R06-101 **ACTION:** Adopt **Resolution (R06-101)** approving an employment agreement with Ed Zylman and prescribing the compensation, appointment, and conditions of said employment.
(Bauer/Hunt 3-0; Farnetti Absent)

PUBLIC WORKS

- 12)** Bid Award – Storage Building Construction for a PHHWF at BX LF (**Evan Nikirk**)
M06-183 **ACTION:** (1) Receive verbal report from Public Works regarding the results and recommendation(s) of bids opened earlier in the meeting. (2) Award bid to ReCom Development Company as the lowest responsible bidder for a not-to-exceed amount of \$181,900 (including alternates and a waiver for any irregularities) for storage building construction for a Permanent Household Hazardous Waste Facility (PHHWF) at the Benton Crossing Landfill. (3) Authorize the Public Works Director (in consultation with County Counsel) to execute and administer an agreement with the lowest responsible bidder. This authorization shall include making minor amendments to said agreement from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form by County Counsel.
(Hunt/Bauer 3-0; Farnetti Absent)

ADJOURNMENT

*Adjourned @ 1:18 p.m. to reconvene in regular session of **November 7, 2006** at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.*

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